

April 17, 2007

BOARD OF LICENSE COMMISSIONERS

The Lincoln Board of License Commissioners was called to order at 7:03 p.m. All council members were present. Town Solicitor Anthony DeSisto, Town Administrator T. Joseph Almond and Deputy Town Clerk Maureen F. Smith were also present.

Eagle Scout Daniel Petrin led the assembly in the Pledge of Allegiance. Council President Jeremiah O'Grady asked for a moment of silence in memory of Danny O'Neill. He was a Lincoln resident who was slain in the Virginia Tech massacre on April 9, 2007. Mr. O'Neill was laid to rest this morning.

Motion to pass the minutes of the March 20th Board of License Commission meeting passed unanimously. (KM-RM)

Council president opened the public hearing for the issuance of a Class BV Liquor License to Trattoria Romana. Mr. Luciano, owner of the new restaurant approached the council and described his plans for the restaurant. He is excited to be opening in the Town of Lincoln. He hopes to run the restaurant similar to the trattoria's operated in

his home country of Italy. His desire is to cater to businesses such as CVS and Amica on a smaller scale than he does currently at his restaurant in Massachusetts. He also wants to offer affordable fine dining prices for families. His prices would be in the \$9.00 to \$22.00 range. He presented the council with a menu, layout of the restaurant and stated the parking area meets town code.

James Spooner of Lincoln spoke during the public comment. Council president O'Grady closed the public

Motion to unfreeze the current level of Class BV licenses held in the town passed unanimously. (RM-KM) hearing.

Motion to grant a Class BV license to Trattoria Romana pending the filing of all documents necessary with the Town Clerk passed unanimously. (RM-KM/JJ)

Motion to refreeze the number of Class BV licenses held in the town passed unanimously. ((RM-KM)

Motion to pass the victual ling license for Trattoria Romana passed unanimously pending the filing of all documents necessary with the town clerk. (KM-RM/JJ)

Motion to defer a victual ling license for First Mill Ventures, LLC d/b/a Del's of Cumberland passed unanimously. (RM-KM) The council

requests that the applicant be present for questions at the May meeting.

Motion to defer the victual ling license application to Pepper Dining, Inc. d/b/a Chili's Grill and Bar until the May public hearing date passed unanimously. (RM-JJ)

Motion authorizing the advertising for a public hearing for Class BV Liquor License transfer from Brinker International, Inc. to Pepper Dining, Inc. d/b/a Chili's Grill and Bar to be held on May 15, 2007 passed unanimously. (RM-KM)

Motion to defer the application for a Class F License for the Memorial Day Parade Committee to the May meeting passed unanimously. (JJ-RM)

The council discussed the topic of Class C license applications. The town does not currently issue a Class C license nor is there an ordinance to support one. It was requested to be on the agenda by the Albion Social Club. The club previously operated under a Class D license. They could no longer operate under this class as they do not have a kitchen as required under the class D license.

Members of the club approached the council to request that the council consider the town approves class C licenses. They stated that they have been an organization for the last seventy-five years. They

only meet occasionally and charge dues to help pay for bills and only charge a minimal fee for drinks served. They require a license for tax purposes.

Council president O’Grady explained that the council would need to pass an ordinance to establish the license first. The class C would also have limited hours (12:00 a.m. closing) and food service. (I.e. Stewart sandwiches) Councilor O’Grady stated that the council would take the club’s request under advisement.

Motion to combine the Holiday Sales License Renewals and pass under one motion passed unanimously. (KM-JF)

Motion to approve holiday sales licenses to the following businesses passed unanimously. (KM-JF)

Lincoln Liquors	182 Front Street
Sleepy’s Inc.	622 George Washington Hwy
Pay/Half	622 George Washington Hwy
4. Famous Footwear	622 George Washington Hwy
Firenza Jewelers	622 George Washington Hwy
One Stop Liquors Inc	97 Railroad Street
Zales Jewelers	622 George Washington Hwy
Lincoln Gardens	1688 Louisquisset Pike
Deb of RI Inc	622 George Washington Hwy
Tina’s Resale Shop	80 Higginson Avenue

Farmhouse Country Gifts	681 Great Road
Marshall's	622 George Washington Hwy
Dress Barn	622 George Washington Hwy
Cumberland Farms	823 Smithfield Avenue
Shell	1723 Louisquissett Pike
Cinema world	622 George Washington Hwy
Sunoco	630 George Washington Hwy
Ocean State Job Lot	622 George Washington Hwy
Radio Shack	622 George Washington Hwy
Vandelay Liquors	616 George Washington Hwy
Claire's Accessories	622 George Washington Hwy
Lincoln Spirit Shop	10 Higginson Avenue
Lime Rock Plant Farm Inc.	48 Harris Avenue
Lincoln Laundromat	208 Front Street
Party City of Lincoln	622 George Washington Hwy
HomeGoods, Inc	622 George Washington Hwy
Payless ShoeSource	622 George Washington Hwy
General Nutrition Center	622 George Washington Hwy
Nayco Family Store	198 Front Street
Sue's Crafts & Florals	101 Higginson Avenue
Flowers Unlimited	63 Rosegarden Street Warwick RI
Manville Market	6 Main Street
Becky's Emporium	2 Reservoir Rd
Fairlawn Mobil	935 Smithfield Avenues

Application for solicitor's permit for NES Home Center denied based

on applicant's failure to appear before the council to answer questions passed unanimously. (KM-RM)

Meeting adjourned at 7:40 p.m.

TOWN COUNCIL

Meeting of the Town Council was called to order at 7:41 p.m. with all councilors present.

Motion to approve the consent agenda as amended passed unanimously. (JJ-KM)

Minutes (*)

- 1. Purchasing Committee – March 19**
- 2. Public Safety Committee – March 19**
- 3. Claims Committee – March 20**
- 4. Special Meeting – March 27**
- 5. Ordinance Committee – April 5**
- 6. Special Meeting – April 5**

Pole Placement (*) (none)

Claims for Referral to Committee (*) (none)

Consideration of Monthly Bills (*)

- 1. Accounts Payable – Library: \$16,090.49**
- 2. Accounts Payable – Town: \$160,142.09**

3. Direct Pay – Town: \$1,070,014.38

Communications - (*)

1. State Mandated Financial Reports

a. Town

b. School

c. Water Department

2. Town of Portsmouth

3. Town of Hopkinton

4. Town of Burrillville

5. Town of Jamestown

6. Town of East Greenwich

7. Michael Kelly, Esq.

Reports – (*)

1. Town Administrator

Tax Abatements (*)

a. \$30,636.54

Council President Jeremiah O’Grady re-opened the public hearing on Ordinance 06-15: An Ordinance in Amendment and Reenactment of the Code of Ordinances of the Town of Lincoln Chapter 260 Entitled “Zoning”.

Councilor O’Grady opened the public comment portion of the hearing

and asked if there was anyone that would like to speak for or against the proposed ordinance.

An attorney from the law office of Michael Kelley, Esq. objected to the inclusionary zoning section of the ordinance and requested the council to pull this section to re-work it.

Town resident Mr. Pina of Smithfield Avenue in Lincoln stated that he likes the idea of what the new zoning will do for the village of Fairlawn.

The public comment section of the public hearing was closed and a motion to close the public hearing was unanimous. (KM-JF)

Councilor O'Grady stated that this will enable the council to act on the proposed amendments in the next forty-five days and he believes the council will do so.

Public Comment

Dick Barr stated he is in opposition to the new courthouse. He gave a brief history of the land under consideration for the courthouse. He stated this area of town is dedicated to many educational facilities and this would be a poor use of land in the area. It is also a residential area and that the majority of traffic will go through many residential areas to get to the court house. He is asking the council to help to

stop this from happening in the town

Edward Brennan echoed Mr. Barr's sentiments. He feels that the court should be built in a commercial area, not residential. He stated that the last two courthouses that were built were done in residential areas. Mr. Brennan mentioned a site on Route 7 that is more accessible to the highway. He also feels that the State of Rhode Island already has a large portion of property in the town that is untaxed. He mentions Lincoln Woods, the airport, CCRI, Davies Vocational School and highway garages.

His major concern though is for the students that attend the schools in the area. He feels this area is an educational area and would like to see that it is kept this way. He asked the council to forward a petition or resolution to the state voicing the concerns of the town in regards to the courthouse.

Terry Gorman spoke on Ord-07-15. He asks that the council support this ordinance that favors relief from illegal immigration. It is a pilot verification program where a person's legal status is checked by landlords and businesses. He requested that the council send letters of support to the town's state senators and representatives. This ordinance is based on a similar one passed in Hazelton, PA. The ACLU is currently fighting this legislation.

A representative from the Northern Rhode Island Chamber of Commerce stated that the chamber has joined with the ACLU in its

fight against the Town of Hazelton, PA. He considers this ordinance a violation of the immigration act. He stated that it mandates businesses to do this vs. it being on a voluntary basis. He feels most businesses will do this anyway. He feels that it sheds a guilty until proven innocent light on people and could be considered an allegation. He understands the intent of the ordinance, but does not feel that it is the towns' problem to solve.

Buddy Toosoni of Johnston stated that 77 companies subscribe to the pilot program and that he has been testifying in favor of the program. He stated that education, hospitals and social services for the children of illegal immigrants equals high costs to the tax payers. Mr. Toosoni stated that we can pay now or we can pay later and feels the need is to act now.

Kathleen Guiditus of Johnston supports ordinance 07-15. She feels that the wording needs tweaking, but they currently have laws that are not enforced. She feels Basic Pilot is a start. Her feelings are that towns and cities are being bankrupted and that voter fraud will take the country down and that an internal threat will destroy the country as badly as terrorist attacks.

Robert D. Oster of Lincoln spoke on Resolution-07-16 which is in regards to the courthouse. He stated that he is not convinced that this proposal is a good idea. He stated that the town needs to study the issue before judging the issue. He would like to see a

demonstrated need and a proposal introduced to the town.

On the immigration ordinance Mr. Oster agrees that there is a problem but that the President has full authority on immigration issues according to the US Constitution. He feels that if the ordinance is passed that the town will be sued and that the town will foot the ACLU's legal fees. He feels the ordinance is unconstitutional.

James Spooner of Lincoln spoke about the tax situation in the town and is looking for relief on school taxation.

Erik B. from the law office of Michael Kelley spoke on ord-06-16. He wants the council to table Article 7 on inclusionary zoning. He does not feel that the numbers work. He stated that he would be willing to facilitate meetings to study this issue and asked again to pull Article 7 and then proceed..

Kim Wright of Manville spoke on the illegal immigration issue. She stated that this is not a race issue. She works for the State of Rhode Island in the social services department and stated that the state can no longer afford to ignore the issue. She sees abuses everyday in her job and is frustrated with what she sees.

Terry Gorman spoke again on the immigration issue and Dick Barr clarified some of his statements on the courthouse issue.

Public Comment Closed.

Minutes

- 1. Work Session-March 19, 2007 Motion to defer passed unanimously. (JJ-KM)**
- 2. Regular meeting-March 20, 2007 Motion to amend minutes on page 6 Resolution-07-10 to reflect the vote taken passed unanimously. (RM-KM0**
- 3. Special Meeting-March 20, 2007 Motion to amend minutes to say Plat/Lot passed unanimously. (KM-JJ)**

E. Appointments

- 1. Tenant Board – District 4 – Motion to defer passed unanimously. (JJ-KM)**
- 2. Conservation Commission – District 1- Motion to defer passed unanimously. (KM-RM)**
- 3. Assistant Solicitors – Motion to change from an hourly dollar amount to a fixed fee of \$12,000.00 passed unanimously. (KM-RM)**
The clerk was asked to send a letter to the candidates for Assistant Solicitor regarding the change and have them respond by the end of the month in order to be heard in May.
- 4. Sewer Appeals - District 1 - Motion to defer passed unanimously. (JJ-KM)**
- 5. Planning Board – District 1 – Motion to appoint Wilfred Adoniaz of 63 Middle Street to the Planning Board for District 1 passed unanimously. (KM-JJ) Mr. Adoniaz was sworn in by Deputy Town Clerk Maureen F. Smith.**

G. Unfinished Business

1. Claims Committee Report

- a. Diane Good – Motion to defer passed unanimously. (KM-JF)**

2. Ordinance Committee Report

Ordinances – vote on Ordinances for consideration and/or passage

- a. Ordinance 06-16: An Ordinance Amending the Town of Lincoln Zoning Ordinance to Establish Policy of Inclusionary Zoning for the Expansion of Affordable Housing. Councilor Macksoud reported that this ordinance was tabled in committee.**

- b. Ordinance 07-01: An Ordinance in Amendment of the Code of Ordinances of the Town of Lincoln Entitled “Boards and Commissions” Councilor Macksoud reported that this was deferred in committee.**

Councilor Macksoud reported on the following Resolutions:

Resolutions – vote on Resolutions for consideration and/or passage

- a. Resolution 07-01: Rules of the Council - Deferred**
- b. Resolution 07-04: Curb Removal - Tabled**
- c. Resolution 07-05: Curb Replacement Program, 10 year plan - Tabled**

- d. Resolution 07-06: Increase to Curb Replacement Budget - Tabled**
- e. Resolution 07-07: River Road Sidewalk Repair – Deferred to September**
- f. Resolution 07-12: Curb Replacement – Sent to Council for approval.**

Motion to pass Resolution 07-12 passed unanimously. (KM-JJ)

Resolution 07-12

Resolution of the Lincoln Town Council

WHEREAS: In many sections of the Town of Lincoln there has been substantial deterioration to cement curbs that began about 4 years ago;

AND WHEREAS: The deterioration has affected only cement curbs and the cause is salt that is spread to melt ice on the streets;

AND WHEREAS: The curbs have now deteriorated to the point that homeowners need them to be replaced or removed;

AND WHEREAS: Many residents cannot afford to replace the curbs even under the 50/50 program that the Town has available and many of these residents want to remove their curbs

AND WHEREAS: The Town Council wishes to encourage replacement of the curbs; or ensure that if curb removal is allowed it be done in a way that will not cause road damage or drainage problems;

AND WHEREAS: There is a growing waiting list for the 50/50 curb replacement program; which indicates a need to increase funding;

THEREFORE BE IT RESOLVED: That the Lincoln Town Council requests that the Capital Improvement Committee consider an annual budget for curb replacement in the Capital Improvement Plan, and the Capital Improvement Committee consider the feasibility of curb removal, and also consider a revolving loan fund to allow residents to repay their 50% of the cost of curb replacement over a ten-year period.

3. Public Safety Committee Report – John Flynn gave an update on the situation on Mount Avenue in regards to low visibility due to a wall on the corner of the street. He also reported that the issues raised in regards to a guardrail on Higginson Avenue were the responsibility of the property owner. He addressed traffic enforcement as ongoing.

4. Purchasing Committee Report

. Bids

a. **Police Station Renovations – Motion to award the bid in the amount of \$42,400.00 for showers in the police department to TEMPCO under the advice and recommendation of the finance director with the funding coming from the Bonded Capital Improvement Plan passed unanimously. (JJ-KM)**

5. Solicitors Report – The solicitor is waiting for additional information and will report to the council as soon as possible.

The council requested a five minute recess at 9:10

The council reconvened at 9:17 p.m.

H. New Business

1. Resolutions introduction for Referral to Committee

a. **Resolution 07-08: Rules of the Town Council – Motion to refer to committee passed unanimously. (JJ-KM)**

b. **Resolution 07-14: CDBG Grant – Motion for immediate consideration passed unanimously. (KM-JF) Motion to adopt passed unanimously. (KM-JF)**

Town of Lincoln, Rhode Island

R.I. SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

FEDERAL FY 2007 FUNDING CYCLE APPLICATION

The Town of Lincoln is considering the filing of an application for a

Small Cities Community Development Block Grant. The Town is eligible to apply for a maximum of \$400,000 and proposes to apply for the following activities:

1 Housing Rehabilitation \$75,000

Title – Lincoln Comprehensive Plan, Housing Element pp. H-14 Amount

- **Provide grants and low interest loan to qualified property owners to rehabilitate their homes. Requested grant amount includes administration costs.**

2 Cumberland/Lincoln Boys Club \$ 30,000

Title – Lincoln Comprehensive Plan, Service & Facilities Element Amount

- **In coordination with the Town of Cumberland, this project is to design and install ADA compliant entrance ramps to the existing public facility**

3 Town of Lincoln's Senior Center \$80,000

Title - Lincoln Comprehensive Plan, Service & Facilities Element Amount

- **Exterior rehabilitation project to the existing public Senior Center building.**

All proposed work is to bring the building up to building code compliance.

4 Lonsdale/Main Street Public Sanitary Sewer Infrastructure \$80,000/year 1

Title – Lincoln Comprehensive Plan, Housing Page H-14 and H-37 Amount

- **This is a three-year project that will replace the public sanitary sewer infrastructure and improve the surrounding street scape of the area. Year one will focus on the installation of a new sanitary sewer pipeline within a public right-of-way. Year two will focus of the design and installation of new street scape (sidewalks, lighting, and handicap crossings).**

5 Family Literacy Center \$ 35,500

Title - Lincoln Comprehensive Plan, Service & Facilities Element Amount

- **Provide low to moderate income families access to family literacy support and community outreach services in the village of Manville**

6 Police Sub-Station, Manville_____ \$15,000

Title – Lincoln Comprehensive Plan, Service & Facilities Element Amount

- **Continue the operation of the existing community police sub-station in the village**

of Manville. This community facility will continue to provide community-policing services to village residents

7 Spurwink School \$10,573

**Title – Lincoln Comprehensive Plan, Service & Facilities
Element Amount**

- Funds will be used for a summer enrichment program entitled “Mind, Body, and Spirit”. This program, specifically designed for developmentally challenged children, contains five elements that will go throughout the summer months.**

8 Christ Church \$40,000

**Title – Lincoln Comprehensive Plan, Service & Facilities
Element Amount**

- Funds will be used to repair existing stairs and install a new handicap ramp to the existing community Thrift Shop.**

9 ARC of Northern RI \$4,900

**Title – Lincoln Comprehensive Plan, Service & Facilities
Element Amount**

- Human Service Agency providing daily transportation to 26**

developmentally-
challenged individuals.

10 Community Housing Land Trust_____ \$
3,000

Title – Lincoln Comprehensive Plan, Service & Facilities Element
Amount

- Non-profit corporation created by the Housing Network organization to assist communities with their affordable housing plans.

11 Program Administration \$25,000

Title – Lincoln Comprehensive Plan, Service & Facilities Element
Amount

- Provide office supplies and administrative assistance to the Housing Rehabilitation office

c. Resolution 07-15: Support of H-5392 and S-0352 – Motion for immediate consideration passed unanimously. (KM-RM) Motion to adopt failed on a three to two vote with councilors Macksoud and McKenna in the affirmative and councilors John Flynn, Jay Jahnz and O’Grady voting no. (KM-RM)

d. Resolution 07-16: Opposition to Court House – Motion for immediate consideration passed unanimously. (JF-JJ) Motion to

adopt passed unanimously on a role call vote. (JF-JJ)

Resolution 07-16

Resolution of the Lincoln Town Council

The Town Council of the Town of Lincoln Hereby Resolves:

WHEREAS: The Rhode Island General Assembly appropriated \$300,000 to the Judiciary's budget for a Blackstone Valley Courthouse Study in 2005.

WHEREAS: The Judiciary spent \$153,572 during FY 2005 and FY 2006 for the first phase of the design report and the remaining \$146,428 is programmed for FY 2007 for the final phase

WHEREAS: The Town of Lincoln already plays host to many State Facilities including but not limited to The Community College of Rhode Island, North Central Airport, Lincoln Woods and the Davies Vocational School.

WHEREAS: The State of Rhode Island is planning to build a new School for the Deaf in Lincoln.

WHEREAS: The transient population in Lincoln increases

substantially in the day due to these tax- exempt facilities

WHEREAS: The Town of Lincoln provides Police, Fire, and Rescue Services to these tax-exempt facilities

WHEREAS: The Town of Lincoln already hosts a greater share of tax-exempt State facilities than any of our neighboring communities

WHEREAS: The area where the Courthouse would be located already experiences heavy traffic due to Twin River

WHEREAS: Twin River has completed a substantial expansion which will create even more traffic

NOW THEREFORE: The Lincoln Town Council hereby resolves that the Blackstone Valley Courthouse is not built in Lincoln and that the \$146,000 for design and pre-construction site preparation for a Courthouse in Lincoln be removed from the State Budget

BE IT FURTHER RESOLVED: That the Lincoln General Assembly delegation is hereby requested to oppose a Courthouse in Lincoln, and work to have the \$146,000 removed from the Budget

BE IT FURTHER RESOLVED: That a copy of this resolution is forwarded to the Lincoln General Assembly delegation.

e. Resolution 07-17: Support of Coalition – Motion for immediate consideration passed unanimously. (JF-JJ) Motion to adopt passed unanimously. (KM-RM)

TOWN OF LINCOLN

Resolution 07- 17

RESOLUTION: IN SUPPORT OF THE COALITION OF COMMUNITIES IMPROVING RHODE ISLAND

BE IT RESOLVED BY THE TOWN COUNCIL OF LINCOLN AS FOLLOWS:

WHEREAS: From January, 2007 to the present time the Town of Lincoln has joined with a large number of cities and towns in the State of Rhode Island to form the Coalition of Communities Improving Rhode Island (“the Coalition”); and

WHEREAS: The Town Administrator T. Joseph Almond has joined

with the mayors, administrators and top executives of each city and town to make a concerted effort to address a myriad of issues common to all members of the Coalition; and

WHEREAS: The goal of the Coalition is to seek to have the Rhode Island General Assembly address certain issues that are causing economic hardships in all communities; and

WHEREAS: These hardships include, but are not limited to, unfunded state mandates and declining state aid for education to the Coalition communities; and

WHEREAS: The Lincoln Town Council is supportive of the efforts of Administrator T. Joseph Almond and the top executives of the other Coalition members.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LINCOLN, RHODE ISLAND AS FOLLOWS:

SECTION 1: That the Town Council authorizes Town Administrator T. Joseph Almond to continue his effort along with the top executives of the other Coalition members to ask the Rhode Island General Assembly to address those issues causing economic hardship to the cities and towns by:

- a. Reducing unfunded state mandates**
- b. Providing relief from state mandates that exceed federal mandates**
- c. Maintain the present funding of city and town schools at an amount equal to the existing percentage of funding until a new school funding formula is adopted.**
- d. Review the state housing aid formula**
- e. Enact a school governance policy that provides for open accountability of school departments and school districts.**

SECTION 2: That the Coalition continue to seek relief from the State Fire Code which has mandated costly fire prevention/warning systems more appropriate for larger residential buildings and night clubs as well as the reduction or elimination of excessive administrative review fees; bring state special education mandates to federal standards; and change mandated revaluation schedules;

SECTION 3: That the Coalition continues in their effort to maintain the present percentage of state aid for education and work to insure a fair and equitable distribution of state aid.

SECTION 4: That the Town Council of the Town of Lincoln urges the Coalition to support Senate bill 2007-S0409 sponsored by Senators Paiva-Weed, Alves, C. Levesque, Goodwin and McCaffrey which would provide for a revaluation every ten (10) years instead of nine (9) years and an update of real property every five (5) years instead of

three (3) years.

SECTION 5: That the Town Council of the Town of Lincoln further urges the Coalition to support any legislation presently pending or to be proposed in the General Assembly that would require city and town school committees to attach fiscal notes to all labor contracts that are to be reviewed by the municipal finance director prior to the execution of the contract.

SECTION 6: That the Town Council of the Town of Lincoln directs that a copy of this Resolution be sent to Governor Donald L. Carcieri, Senate President Joseph A. Montalbano, Speaker of the House William J. Murphy, its Senators and Representatives including Senator Daniel P. Connors and Representatives William J. McManus, Rene R. Menard and Peter J. Petrarca, and that these officials be urged to support all Coalition endeavors.

SECTION 7: That the Town Council of the Town of Lincoln urges all communities not presently a member of the Coalition to consider joining with present members to address those issues common to all and that present members of the Coalition consider adopting a similar resolution asking their respective senators and representatives to support the Coalition in attaining its goals.

SECTION 8: THAT THIS RESOLUTION SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE BY THE LINCOLN TOWN

COUNCIL.

f. Resolution 07-18: Request Land Survey – Motion for immediate consideration passed unanimously. (JJ-JF) Motion to adopt passed unanimously. (JJ-JF)

Resolution 07-18

The Town of Lincoln

Resolution of the Town Council

A Resolution to Request a Land Survey:

Intersection of Mount Avenue and Cobble Hill Road

WHEREAS; The Town Council of The Town of Lincoln is empowered by Section C5-8(3) of the Lincoln Town Charter to “[E]nact... resolutions for the government of the town which have to do with the preservation of the public peace, health, safety, welfare, and comfort of the inhabitants and the protection of persons and property”;

AND WHEREAS; Visibility problems related to a retaining wall located at the intersection of Mount Avenue and Cobble Hill Road have created a dangerous situation for both motorists and pedestrians;

AND WHEREAS; Planned residential development on Cobble Hill Road is likely to exacerbate this safety problem in the near future;

AND WHEREAS; A majority of Mount Ave residents appeared before the Town Council’s Public Safety Committee on March 19th, 2007 to request that the Town explore solutions to the problem including the removal of the retaining wall at the intersection of Mount Avenue and Cobble Hill Road;

AND WHEREAS; It is possible that the retaining wall in question is sited within the Town’s right-of-way;

NOW THE TOWN COUNCIL OF THE TOWN OF LINCOLN HEREBY RESOLVES; That the Town shall commission a survey of the retaining wall at the intersection of Mount Ave and Cobble Hill Road to determine whether said wall is located within the Town's right-of-way.

Submitted By: Councilman Jeremiah T. O'Grady

Submitted: April 9th, 2007

2. Ordinance introduction for Referral to Committee

- a. Ordinance 07-04: BYOB Regulations – Motion to refer to committee passed unanimously. (JJ-KM)**
- b. Ordinance 07-05: Helmet Requirements – Motion to refer to committee passed unanimously. (JJ-KM)**
- c. Ordinance 07-06: Creation Lonsdale Redevelopment Agency – Motion to refer to committee passed unanimously. (KM-JF) Councilor Macksoud requested the record to show that this was a joint introduction by Councilor Flynn and himself.**
- d. Ordinance 07-07: Immigration – Motion to refer to committee failed on a three to two roll call vote with councilors Macksoud and McKena voting in the affirmative and councilors Jahnz, Flynn and O'Grady voting in the negative. (JJ-KM)**

4. Approval of Revised Budget Expenditures

a. Appropriate the sum \$3,000.00 for recreational fields. This money will go to the Knights of Columbus. There is land behind their building that they hope to use as a field for ballplayers age 8 and under. This field will be used by the town. There is no partnership or contractual agreements between the town and the knights of Columbus and the majority of the money will be used on a feasibility study.

b. Appropriate the sum of \$5,000.00 to build fish ladders on the Blackstone River.

Motion to approve the revised budget expenditures passed unanimously. (RM-KM)

5. Salary Warrant discussion

Town Administrator T. Joseph Almond hopes to have this prior to the financial town meeting. He is using the same numbers that are in the 2007-2008 budget. He stated that the council has the final say in the ratification of the budget. The solicitor will give a written opinion on this.

6. Council Meeting times: discussion and/or action

The council decided that it would set aside the first Thursday of the month for special meetings if one is necessary.

7. Ratify Classification and Compensation Plan

Motion to ratify the Classification and Compensation Plan passed

unanimously. (JF-JJ)

Communications -

1.Council President Jeremiah O’Grady – Motion to accept communication passed unanimously. (KM-RM)

2. RI DEM– Motion to accept communication passed unanimously. (RM-KM)

3. RI DEM– Motion to accept communication passed unanimously. (RM-KM)

Adjourn

Motion to adjourn passed unanimously. (RM-JJ) Meeting adjourned at 10:58 p.m.

Maureen F. Smith

Deputy Town Clerk